

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

**JOHN AND JANE DOE NO. 1,
et al.,**

Plaintiffs,

VS.

**BETHEL LOCAL SCHOOL
DISTRICT BOARD OF
EDUCATION, et al.,**

Defendants.

CASE NO. 3:22-cv-00337

JUDGE MICHAEL J. NEWMAN

DECLARATION OF JULIE E. BYRNE

I, Julie E. Byrne, declare:

1. My name is Julie Elizabeth Byrne. I am over the age of 21 and fully competent to make this declaration.
2. I have personal knowledge of all of the facts stated in this declaration, and my statements in this declaration are true and accurate to the best of my knowledge, information, and belief.
3. I am an attorney at Ashbrook Byrne Kresge LLC and in that capacity, I represent the plaintiffs in the above captioned case.
4. On or about September 13, 2022, I made a public records request to the Bethel Local School District using their online public record request form, <https://docs.google.com/forms/d/e/1FAIpQLSciHlti0f->

DTut3BgKc0Quy8eJ-O-BJ3uDxDVge3O4z7l3I1A/viewform, which is linked on the Bethel Local Schools public records requests webpage, located at <https://www.bethel.k12.oh.us/page/public-records-requests> (the “Public Records Request”).

5. In response to my Public Records Request submission, I received an automatic email response stating that it can take “3-5 days” to complete a request; the email response was from email address “watsonj@blsk12.org” and CC’ed another district email address of “hagemant@blsk12.org.”

6. Approximately two weeks after I submitted the Public Records Request, on September 26, 2022, I replied all to the automatic email response, asking for an update because I had not received any public records or an update in response to my Public Records Request. I received an email reply from Tina Hageman, whose email signature line identified her as the Treasurer/CFO of Bethel Local Schools; she apologized and indicated that I would have some information “soon.”

7. On October 5, 2022, I emailed Ms. Hageman again to check on the status of my Public Records Request because I still had not received any public records in response to my Public Records Request. Ms. Hageman did not immediately respond to my email.

8. On October 11, 2022, nearly a month after I originally submitted my Public Records Request, I received multiple emails from Ms. Hageman with multiple attachments.

9. Exhibit A is a true and correct copy of one of the attachments Ms. Hageman attached to an email to me on October 11, 2022 at 1:46 PM in response to my Public Records Request regarding the present bathroom issue; in her original email it was attached as "02.pdf."

10. Attached as Exhibit B is a true and correct copy of the board meeting minutes from the Bethel Local School District board meeting on December 7, 2021, downloaded from the school's official online repository on January 23, 2023, <https://go.boarddocs.com/oh/bethlsd/Board.nsf/goto?open&id=CB9HTU4A184>
3.

I declare under penalty of perjury that the foregoing is true and correct.

1/23/2023
Date



Julie E. Byrne

EXHIBIT A

Re: Dress code exemption (Ash Milewski)

triplett@blsk12.org Matt Triplett

Tuesday, August 24, 2021 at 6:54:48 AM Eastern Daylight Time

To: firksj@blsk12.org Justin Firks

After looking through board policy I see nothing about student rights and bathroom use. Please let me know how you would like me to respond. I know in the past they have had these students use the staff and clinic restrooms. Thanks.

Matt Triplett

Principal

Office: (937) 845-9430



On Mon, Aug 23, 2021 at 10:47 PM Matt Triplett <triplett@blsk12.org> wrote:

FYI

Matt

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: August 23, 2021 at 10:23:39 PM EDT
To: Matt Triplett <triplett@blsk12.org>
Subject: [REDACTED]

Hello!

I just realized that I completely forgot to email you about [REDACTED]

Thank you!

EXHIBIT B

Board of Education Work Session Tuesday, December 7, 2021

1. Roll Call

A. Call to Order 5:30 PM

B. Roll Call
Mr. King, Mrs. Reese, Mrs. Sebastian, Mr. Elam, Mrs. Mansfield

2. Additions to the Agenda (if needed)

3. Hearing of the Public regarding Agenda Items
President Mr. King called for the Hearing of the Public regarding agenda items, to which there was no response.

4. Important Dates of the District

5. Treasurer's Items

A. Review of Meeting Minutes
November 16, 2021, Board of Education Work Session

B. Review of Meeting Minutes
November 22, 2021, Board of Education Regular Meeting

C. Review Payment of Bills

D. Review of Monthly Financial Report

E. Review of Adoption of Resolution for Fiscal Year 2023 Budget
A resolution declaring the intention to proceed under the alternative tax document format provided under section 5705.2581 of the Ohio Revised Code and to refrain from the preparation of a tax budget for the fiscal year 2023, and authorizing and directing the Chief Financial Officer of the Board to prepare and submit to the Miami County Budget Commission such information and documents as are necessary incident to said process and submission, and to take other actions as may be reasonably necessary incident thereto. (see attachment

6. Superintendent's Items

A. Appointment of President Pro Tempore
In order to follow proper procedures, it will be necessary to appoint a President Pro-Tem to preside over the Organizational Meeting to be held January 10, 2022. The President Pro-Tem will be_____.

~~B. Set Time for Regular Board Meetings and Work Sessions~~ Moved to Organizational Meeting, January 10, 2022

C. Review Leave of Absence
The Bethel Board of Education to review the following request for a Leave of Absence.
Carrie Livesay. March 8, 2022-May 27, 2022

D. Review of Neola 40.1 Fall 2021 Update of Board Policies
The Bethel Board of Education to review the Neola 40.1 Fall 2021 Update of Board Policies.

E. Review Proposal for Overnight/Extended Student Trip-Music Department
The Bethel Board of Education to review the proposal of an overnight/extended student trip for the Music Department.

F. Review of GREEN TEAM as a High School Club
The Bethel Board of Education to review the proposal for GREEN TEAM as a high school club.

7. Items for Discussion

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8. Executive Session

Mrs. Sebastian moved to enter executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of an employee or official, or the investigation of charges or complaints against an employee, official, licensee or student, unless the employee, official, licensee or student requests a public hearing, to conference with the board's attorney to discuss matters which are the subject of pending or imminent court action and to discuss specialized details of security arrangements.

Seconded by: Mrs. Reese

The Board entered executive session at 6:24 pm
The following members answered roll call:
Mr. King, Mrs. Reese, Mrs. Sebastian, Mr. Elam, Mrs. Mansfield

The Board re-entered regular session at 7:47 PM

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9. Adjournment

Motion by: Mrs. Mansfield
Seconded by: Mr. Elam
Roll Calls Ayes: Mr. King, Mrs. Reese, Mrs. Sebastian, Mr. Elam, Mrs. Mansfield

Nays: none
Motion carried 5-0

Meeting adjourned at 7:47 pm

Treasurer

President